

REMARKS AND DISCUSSION

Upon entry of the present amendment, Claims 1-6, 8-15 and 17-20 are pending in the application, of which claims 1, 9, 19 and 20 are independent.

Claims 7 and 16 have been canceled by the present amendment, without prejudice and without dedication or abandonment of the subject matter thereof.

The above-identified Office Action has been reviewed, the references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment is submitted. It is contended that by the present amendment, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

After careful consideration of the rejections set forth in the Office Action, applicant respectfully submits that all claims are patentably distinguish over the art of record, and requests allowance of all pending claims, as discussed further below.

Changes to the Specification

Applicant submits amended paragraphs [0036] and [0041] with the present amendment, in order to clarify ambiguities and to correct informalities which were previously present.

Claim rejections -- 35 USC 103

At Item 3 of the Office Action, the Examiner rejected claims 1-16, 18 and 19 under 35 USC 103(a) as unpatentable over Konno et al. (US Publication 2003/0024754) in view of Kasuga (JP02001182410A) and Shouji et al (FR 2802889).

Applicant encloses herewith a signed declaration of Takeshi Konno under 37 CFR 1.132. The enclosed declaration establishes that any invention disclosed but not claimed in US Published Patent application 2003/0024754 to Konno et al. was derived from Mr. Konno, and is

thus not an invention "by another." Applicant respectfully submits that US Published Patent application 2003/0024754, therefore, **does not constitute prior art** in relation to the above-identified patent application.

Applicant therefore requests reconsideration and withdrawal of the rejection of claims 1-16, 18 and 19 under 35 USC 103(a) as unpatentable over Konno et al. (US Publication 2003/0024754) in view of Kasuga (JP02001182410A) and Shouji et al (FR 2802889).

As further regards claim 1, the Examiner cites Kasuga to teach a locking mechanism for bypassing the controller to unlock a vehicle. Applicant respectfully submits that the rejection of claim 1 is improperly based on a suggestion coming entirely from the Examiner (guided by impermissible hind sight of applicant's disclosure), rather than from any teaching or suggestion which may be fairly gleaned from the references themselves.

Applicant's Response

Initially, applicant points out that the invention of Kasuga is *fundamentally different* from that of applicant, since the invention of Kasuga relates to a locking mechanism for attachment to the rear wheel of a bicycle, such that the lock invades the spokes of the rear wheel of the bicycle in order to prevent the wheel from turning (paragraph [0011]). When the locking mechanism of Kasuga is in the lock position, a portion of the lock passes between two spokes of the wheel wheel, thereby, when the wheel attempts to turn it is prevented from moving. This is contrary to applicants disclosure wherein the locking mechanism is attached to the handle bars, such that the wheels are free to continue spinning, but the handle bar is locked in such a way that it is impossible to travel in any manner other than a straight line.

The applicant concedes that the bicycle lock of Kasuga uses a mechanism for bypassing a controller to unlock a vehicle. However, is it is not obvious to replace the steering column

locking mechanism of Konno, which is embedded into a motorcycle, with the bicycle lock of Kasuga, which is placed on the spokes of a wheel of a manually powered bicycle.

Still further, as mentioned in applicants Amendment A, Shouji teaches a locking mechanism covered with a cover member of the vehicle. The applicant notes that Shouji et al disclose a remotely activated ignition lock cover to selectively prevent access to the ignition key cylinder. According to the EPO's English language translation of the abstract, the cylinder is fixed behind the bodywork. The applicant concedes that mounting an ignition cylinder in the body of the vehicle is known. However, the applicant respectfully disagrees that Shouji teaches or suggests covering a locking release mechanism for an anti-theft locking mechanism with a cover member formed by a portion a front cowl of the vehicle, as recited by the applicant.

However, in an effort to expedite the prosecution of the present application, applicant has amended claim 1 to more particularly point out and distinctly claim the invention. Claim 1 now specifies that the anti-theft locking mechanism is operable to temporarily lock a position of a handlebar of the vehicle by inhibiting pivotal movement thereof. In view of the above described substantive differences between the applicant's amended claim 1 and the disclosures of the cited references, applicant believes claim 1 to be in condition for allowance and requests reconsideration and withdrawal of the rejection.

Applicant has also amended claim 9 to specify that the motorcycle includes a frame and a handlebar pivotally attached to the frame, and to specify that the anti-theft locking mechanism is operable to temporarily lock a position of a handlebar of the vehicle by inhibiting pivotal movement thereof. These features are not disclosed by the references, individually or in combination.

Applicant has also made similar changes to independent claims 19 and 20, and has made some limited changes to dependent claims 2, 4, 12 and 17 in order to more particularly point out and distinctly claim the subject matter thereof.

Conclusion

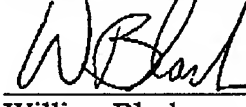
Based on all of the foregoing, applicant respectfully submits that all of the rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are allowable over all of the references of record, whether considered singly or in combination. Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that he telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable consideration is respectfully requested.

Customer No. 21828
Carrier, Blackman & Associates, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375
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Respectfully submitted,


William Blackman
Attorney for Applicant
Registration No. 32,397
(248) 344-4422

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted, via facsimile, to the United States Patent and Trademark Office on October 25, 2005.

WDB/amc

